



BY-LAW NO. 241

TO REGULATE THE PROCEEDINGS IN

THE TOWN COUNCIL

OF THE

TOWN OF GUELPH,

TO DEFINE THE

POWERS OF COMMITTEES,

AND TO REGULATE THE

PAYMENT OF MONIES.

GUELPH:

*Printed at the Herald Book and Job Printing House, Herald Block, Market
Place.*

BY-LAW NO. 241,

To regulate the proceedings in the Town Council of the Town of Guelph, to define the powers of Committees, and to regulate the payment of monies.

Whereas it is necessary to enact Rules and Regulations for the due and orderly transaction of public business, at the meetings of the Town Council, of the Town of Guelph, and to limit and define the powers and duties of Committees, and the payment of monies, it is hereby enacted, by the Corporation of the Town of Guelph, under the authority of the Municipal Institution Act of the Province of Ontario.

1. That on and after the passing of this By-law the following Rules and Regulations shall be in force in the proceedings of the Town Council, and the Committees thereof.

Rule 5-3 x 5-4 No 2 & 3 insert
2. That the regular meetings of the Council shall be held on the first and third Mondays in each month, at 7:30 o'clock p. m., and if in fifteen minutes thereafter there be not a quorum of members assembled, the names of those members present and absent shall be recorded by the Clerk, and the Council shall stand adjourned until next regular meeting.

Rule 5-2 Not insert adjournment to be 10:30
3. That a quorum consist of a majority of members, including the Mayor as a member of the Council.

Amalgamated
4. That a special meeting of the Council may at any time be summoned by the mayor, and in case of his absence, by the Reeve, or in the absence of both, by a Deputy-Reeve in the order of his appointment.

5. That the Mayor shall, on a requisition in writing signed by a majority of members of the Council, call a special meeting of the Council.

6. That in case of the absence of the Mayor, the Reeve shall call a special meeting when so required by a majority of the members of the Council; and in case of the absence of the Mayor and Reeve, then a Deputy-Reeve shall have the same power in the order of his appointment.

7. That all special meetings shall be called by a notice sent to each member of the Council by the Clerk, which notice shall set forth the business to be considered, and no other business shall be taken up or discussed but that which is contained in the notice.

8. That at the hour appointed, when a quorum is present, the Chair shall be taken by the Mayor or Chairman, and the proceedings commenced by the Clerk reading the minutes of the last regular, intermediate and special meetings which on approval by the Council shall be confirmed and signed by the Chairman.

9. That the business of the Council shall be taken up in the following order:

1. Communications from the Mayor or the Clerk.

II. Presentation of petitions and memorials and reading of the same by members or by the Clerk.

III. Reference of the same by the Mayor or Chairman to the appropriate committee, or to the Council for consideration.

IV. Third reading of By-laws.

V. The presentation of reports from Standing Committees and from Special Committees, both in the order of their appointment.

VI. The consideration of the reports of the Standing and Special Committees in the order in which they were presented unless otherwise ~~agreed~~ agreed upon by ~~the~~ members present.

VII. The first and second reading of By-laws.

VIII. The consideration of By-laws in Committee of the whole.

IX. The consideration of any business of which notice has been previously given.

X. The consideration of any business introduced by members on motion.

No 12 ~~Notices~~ Notices in writing of intention to introduce a measure may be given at any time during the meeting, and shall always be entered by the Clerk on the minutes.

CONDUCT OF THE CHAIRMAN.

No 13 That the Mayor or Chairman shall preserve order and decorum, decide all questions of order, subject to an appeal to the Council, and when called upon to explain a point of order or practice, shall state the Rule applicable to the case without argument or comment.

No 14 That the Mayor or Chairman shall declare the vote on all questions, and should his declaration be disputed, may require the members voting yea and nay to rise and stand until the number for the affirmative and negative be counted.

No 15 That when the Mayor or Chairman sees fit to exercise his right of voting on any question before the Council, he shall from the Chair be at liberty to explain his vote, otherwise he shall take no part in any discussion before the Council while he remains in the chair.

No 16 13. That it shall be the duty of the Mayor or Chairman whenever he shall conceive a motion read by the introducer to be contrary to the Rules of the Council to apprise the Council thereof before such motion is debated upon or put, citing the Rule applicable to the case.

No 17 New Rule

CONDUCT OF MEMBERS

No 18 14. That every member previous to speaking shall rise from his seat uncovered, and address the Mayor or Chairman; confine his remarks to the question; not use indecorous language and avoid personalities.

No 19 15. That should more than one member rise at the same time to address the Chair the Mayor or Chairman shall determine who is entitled to the floor.

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No 20 20. That petitions, memorials, &c., addressed to the Council shall be presented by the member in his place, ~~who shall be answerable to the Council that they do not contain improper or impertinent matter.~~ *all right*

No 21 21. That no member other than the one proposing a question or motion (who may be permitted to reply) shall speak more than once without leave of the Council, unless in explanation of a material portion of his remarks which may have been misunderstood, but then he shall not introduce new matter. *for more than 10 min*

No 22 22. That the Mayor or Chairman or any member may call a member to order while speaking, when the member so called to order shall sit down and not speak until the point of order is determined, unless to appeal from the decision of the Chair.

No 23 23. That when the Mayor or Chairman is putting a question no member shall walk out of or across the Council Chamber.

No 24 24. That when a member is speaking no member shall hold discourse that may interrupt him, or pass between him and the Chair.

No 25 25. That any member may require the motion or report under discussion to be read for his information at any period of the debate, but not so as to interrupt any member speaking.

No 26 - New Rule 26. That every member present when a question is put shall vote thereon, unless the Council excuse him or he be personally interested in the question. ~~XXXXXX~~

No 27 27. That upon a division the names of the members, ~~yea and nay~~ on the question shall be recorded on the minutes at the request of any one member present.

No 28 28. That on call of any member a majority of the members present may demand that the previous question be put, which shall always be in this form, "shall the main question be now put," and until it is decided shall preclude all amendments to the main question and all further debate.

No 29 29. That when any question has been finally put by the Mayor or Chairman no member shall speak on it before voting.

No 30 30. That members of the Council shall on adjournment keep their seats until the Mayor or Chairman leave the Chair.

MOTIONS AND QUESTIONS

No 31 31. That every motion and resolution, except as hereinafter provided, shall be written in ink and read by the mover in his place, and when duly moved and seconded shall be ~~acted~~ by the Mayor or Chairman, and then shall be open for discussion and consideration.

No 32 32. That a motion to adjourn or that the Council resolve itself into Committee of the whole may be made and seconded *viva voce*.

No 33 33. That no motion prefaced by a preamble shall be received or admitted.

No 34 34. That no verbal report *by any committee* shall be received or discussed.

No 35 35. That after a resolution has been read and seconded and placed in the

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hands of the Mayor or Chairman, it shall be deemed to be in the possession of the Council, but may be withdrawn with the consent of the Council.

36 That when a resolution is under consideration no motion shall be received unless to adjourn, to lay on the table the previous question, to postpone, to refer, or to amend, which shall have precedence in the order in which they are arranged, the first and third of which several motions shall be decided without debate.

37 That a motion for adjournment shall always be in order.

38 34. That no specific appropriation shall be made or determined on until it has been reported on by the appropriate committee.

39 35. That the order of the day shall always have the preference to any motion before the Council, save and except when any resolution or motion shall be lost by the Council breaking up for want of a quorum, such resolution or motion shall be the first business to be proceeded with and disposed of at the next regular meeting of the Council.

40 That all motions shall be put in the order they are moved, the vote on the last amendment being first taken, except in filling up blanks; the longest time and highest sum shall be put first.

New Rule
41 That in deciding upon applications for office when there are more than two applicants, the names shall be put to the vote singly in the order in which they are read by the Clerk, a yea and nay vote taken on each; the name receiving the lowest number of votes shall be then struck off, and the voting again proceeded with in the manner as before mentioned, striking off the name having the lowest vote each time and proceeding again as before until the names are reduced to the number to be appointed.

42 That no motion to rescind a resolution entered upon the minutes shall be received or put, unless a notice of intention to introduce such motion to rescind shall have been made in writing at a previous meeting.

COMMITTEE OF THE WHOLE

43 The Rules of Council shall be observed in Committee of the whole excepting the Rules relating to the votes being taken down and limiting the number of times speaking.

New Rule limit time to speak
44 That whenever it shall be resolved to go into Committee of the whole upon any question, the Mayor or Chairman shall leave the chair and appoint a Chairman of the Committee, each member serving in alphabetical order of his name. On the Committee rising the Chairman of Committee shall report their proceedings to the Mayor or Chairman on his resuming the Chair.

45 ~~43~~
46 That when a report or By-law is under discussion in Committee of the whole, the Chairman of a committee whose report is being considered, or the introducer of the By-law shall not be required to take the Chair; then the member who is next in turn liable to serve as Chairman of committee shall be called to the chair.

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48 42. That the mover of a Special Committee shall be a member, and the convenor thereof, and the introducer of a measure shall be a member of the Committee if a Special Committee is instructed to consider it.

43. That a motion in Committee of the whole to rise and report, or that the Chairman leave the Chair with leave to sit again, shall be always in order, and shall be decided without debate, and such motion may be made *viva voce*.

BY-LAWS.

44. That every By-law shall be introduced by a motion of leave specifying the title thereof, or by an order from the Council or by a report of the By-law Committee.

45. That no By-law shall be amended in committee until it shall have been read twice.

46. That every By-law shall be read and passed in committee of the whole before being read a third time.

47. That each reading of a By-law shall be endorsed by the Clerk with the time and hour of the day at which the reading took place.

48. That no By-law shall receive more than two readings at one meeting, unless with the unanimous consent of the members present.

49. That when a By-law is considered in committee of the whole, it shall be read by the Clerk, debated on clause by clause, and put by the Chairman as read by the Clerk, leaving the title and preamble to be last considered.

50. That all amendments shall be reported by the Chairman of Committee to the Mayor or Chairman on his resuming the Chair, and after report the By-law may be subject to debate and amendment in Council before it shall receive a third reading.

51. That every proposed By-law shall receive three several readings before it shall be finally passed.

52. The hour of adjournment shall be 10 o'clock, p. m., at which hour the Council shall always adjourn, unless this rule be temporarily suspended by consent of two-thirds of the members present.

53. That no person but members or officers of the Council shall be allowed to come within the bar during the session of the Council without the permission of the Mayor or Chairman, or with the consent of the Council.

54. That no person present at any meeting of the Council shall be allowed to speak or make a noise or in any way disturb or interrupt the proceedings of the Council or to behave in a riotous, disorderly or unseemly manner, and that any person who shall do so shall be liable, on conviction, to be fined not less than one dollar or more than four dollars for the first offence, and not less than four dollars nor more than twenty dollars for a subsequent offence, such fines to be paid to the Treasurer for the use of the Municipality.

APPOINTMENT OF COMMITTEES

55. That the Council shall at its first evening meeting on the third Monday in January, in each and every year, appoint the following Standing Committees

I. Finance

Sanam Committee of Health
Sanam Committee
Sanam Committee of Health
Sanam Committee of Health

- Board of Works*
- II. ~~Streets, Highways~~ *Railways*
 - III. Market and ~~Public~~ *Public Buildings*
 - IV. Fire, Water and Gas.

V. Relief.

VI. ~~By-laws~~ *Licenses*

VII. ~~Public~~

VIII. ~~Railways~~

IX. ~~Water and Gardens~~

X. ~~Public~~

XI. ~~Park and~~ *Public Trees*

56. Each of the aforesaid committees shall consist of ~~five~~ *five* members, and shall be chosen as nearly as may be from each of the ~~Wards~~ *Wards* of the Town. The Mayor, for the time being, shall be a member *ex-officio* of each and every committee whether Standing or Special.

DUTIES OF COMMITTEES.

57. Each of the said Standing Committees shall meet at their convenience within at least one week of their appointment, and elect one of their number Chairman, who shall forthwith notify the Clerk of the Council of such election.

58. Each committee shall keep a proper record of its proceedings, and such record and proceedings shall be subject to the same rules and regulations as the proceedings and minutes of Council.

59. Each committee shall meet at the written summons of the Clerk by order of their Chairman, reasonable notice being given in such case.

60. Each of the aforesaid committees shall report on every matter and question referred to them, at the first regular meeting of Council next after the time of reference, unless otherwise instructed in the order or resolution of reference, and each committee shall properly number and endorse their reports in the order of their presentation.

61. Should a Chairman of any of the aforesaid committees neglect or refuse to call a meeting of his committee at such times, or with such frequency as the proper dispatch of the business entrusted to them requires, or do the business of the committee without the knowledge or consent of its members, or contrary to their wishes or sanction, the committee may report such neglect, refusal, or action to the Council, who may, if they deem it advisable, remove the said Chairman from the committee and appoint another in his place, and every such reconstructed committee shall have a right to appoint a Chairman who shall report such appointment to the Clerk of the Council.

62. Should any member or members of any of the aforesaid committees neglect or refuse to attend the properly summoned meetings of their Committee, the Chairman may report such neglect or refusal to the Council, who may remove the said member or members from the committee and appoint another member or other members in his or their place, or should any committee neglect or refuse

to give due attention to all business or matters before them, the Council may, by resolution, discharge such committee, and appoint another in their stead.

63. It shall be the duty of the Finance Committee to examine and report on all accounts referred to them, to examine and report on all annual estimates of expenditure; proposals for purchase of debentures or other municipal securities; to prepare estimates of the revenue, expenditure and assessment for each year, and to have in charge all matters connected with the finances of the Town.

64. The Streets, Highways and Bridges Committee shall have in charge all matters connected with the construction, repairs or improvements of the streets, highways, bridges, sidewalks, sewers and drains of the Town, or encroachments on or obstructions to the same.

65. The Committee on Fire, Water and Gas shall have charge of the Engine House, Steam Fire Engine, all fire apparatus, tanks or wells, and all other matters or improvements connected with the suppression of fires, and the lighting of the street lamps of the Town.

Except the
66. The Market Committee shall have charge of the Public Markets, the Market Square, the Drill Shed, the Town Hall, and all buildings, stalls or other erections connected with said markets.

67. It shall be the duty of the Relief Committee, to expend in a proper and judicious manner the appropriation made by the Council for the relief of the poor or infirm of the Town.

68. It shall be the duty of the By-law Committee to examine and report on the true interpretation, efficiency, or otherwise, of existing By-laws or any of them; to revise and consolidate the same if required, and to prepare and introduce new By-laws in compliance with the instructions of the Council.

69. It shall be the duty of the License Committee to examine the reports of the Tavern Inspector or Inspectors, and to report on all matters respecting Licenses referred to them by the Council.

70. The Railway Committee shall have in charge all matters and questions connected with Railways, or projected Railways, in which the Town is directly or indirectly interested.

71. The Committee on Walks and Gardens shall have charge of all matters connected with planting trees, shrubs, &c., and the protection of the same.

72. It shall be the duty of the Printing Committee to examine, and report on all accounts for Printing, Stationery, &c., and all matters and questions connected therewith.

73. The Committee having charge of the Park and Exhibition Grounds, shall duly and properly provide for the safety and protection of the Fences, Trees, and Buildings connected therewith, and make such improvements on said grounds from time to time as the Council may direct.

74. Nevertheless each of the aforesaid committees in the exercise of their several functions, when the same are not expressly prescribed by Statute or By-law shall be under the control and direction of the Council.

75. It shall be the duty of each of the aforesaid committees to report to the Council.

cil on or before its first regular meeting in May of each and every year, a general statement of its proposed improvements, repairs and expenditure, together with an estimate of revenue, if any, which may fairly be expected from the Department under its supervision for the current year. The Council shall then refer these several reports with or without amendment to the Finance Committee, who shall prepare and report to the Council on or before its second regular meeting in May, an estimate of the total revenue, expenditure, and assessment for the said year, based on the aforesaid reports as data.

76. The Council shall then on receipt of the report of the Finance Committee amend or not the aforesaid reports of the Standing Committees, reducing, increasing or confirming the several estimates of each or any of them as they deem necessary, and advisable, and such several reports thus amended and confirmed shall then be adopted, and the several sums set down in each shall constitute the appropriations for the several committees for the said year.

77. Any committee or Chairman of any committee expending more than the said appropriations, or money for which no provision has been made, shall be personally liable for every such excess of expenditure over and above the appropriations of the aforesaid reports; the Council may, however, pass a By-law to indemnify him or them for such breach of this By-law, and to make provision for the payment of such excessive expenditure.

78. Nevertheless the Council may at any time during the said year make a different application of the appropriations made under the seventy-sixth section of this By-law, or such unexpended portions of them as remain in the Treasurer's hands.

79. No expenditure of the appropriations granted under the seventy-sixth section of this By-law shall be made by any committee until a detailed report of every such expenditure shall have been submitted by each committee and approved by Council. In cases, however, of emergency, or sudden injury or damage to municipal property, requiring immediate repair, the appropriate committee may, without the sanction of the Council, expend a sum not exceeding fifty dollars in such repairs.

80. On the first Monday in December, in each year, the Clerk shall advertise for all accounts due by the Corporation to be sent in, and at the next regular meeting of the Council thereafter, each committee shall present to the Council a full report of the receipts and expenditures in their several departments under their control, for the current year.

81. By-laws numbers 126 and 129, and all existing By-laws or clauses of By-laws contrary to the provisions of this By-law are hereby repealed.

Passed this 15th day of December 1873.

JOHN HARVEY,

Town Clerk.

A. ROBERTSON,

Mayor.